

1 BALTIMORE HARBOR AND CHANNELS
2 DREDGED MATERIAL MANAGEMENT PLAN AND
3 TIERED ENVIRONMENTAL IMPACT STATEMENT
4 PUBLIC COMMENT MEETING
5 (Presentation and Comments)
6
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8 Meeting in the above-captioned matter was
9 taken on Thursday, March 10, 2005, at Essex Community
10 College, 7201 Rossville Boulevard, Baltimore, Maryland,
11 commencing at 7:05 p.m. before Carol T. Lucic, Notary
12 Public.
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21 Reported by: Carol T. Lucic, RMR

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1 MR. JOHNSON: Good evening and welcome to the
2 public meeting for the Port of Baltimore dredged
3 material management plan and tiered environmental
4 impact statement. My name is Scott Johnson. I'm the
5 project manager for US Army Corps of Engineers,
6 Baltimore District. The Corps is the federal agency
7 responsible for the preparation of the DMMP and the
8 EIS.

9 We'll begin this meeting with a formal
10 presentation of the DMMP and EIS lasting about 20
11 minutes followed by an opportunity for you, the public,
12 to comment on the record about the project. Your
13 comments will be recorded by our court reporter to my

14 right and entered into the formal record for the
15 project.

16 In the interest of time and allowing everyone
17 who wishes to speak an opportunity, I would ask that
18 you limit your formal comments to five minutes. My
19 colleague, Joyce Conant, will indicate when your time
20 is up. You may also enter a written statement for the
21 record if you choose. Once we've heard from all of

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1 those who wish to speak the formal portion of this
2 meeting will be concluded, and I'll then open up the
3 floor for questions of myself and our panel, who I'll
4 introduce later on.

5 We will answer as many questions as we can
6 and will remain after the conclusion of the formal part
7 of the meeting to talk to you individually if you
8 wish. The important thing is for us to document all of
9 your questions for the record.

10 First let me explain the National
11 Environmental Policy Act or NEPA. NEPA went into
12 effect as a federal law in January of 1970 with the
13 goal of protecting the environment by promoting better
14 planning and decision making and coordination with the
15 public. NEPA reviews are required for any proposed
16 project which includes federal money, lands, or
17 permits.

18 Within NEPA there is a process called an
19 environmental impact assessment. This is documented in
20 an environmental impact statement or EIS. An EIS
21 documents the purpose and need of a proposed action,

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1 evaluates reasonable alternatives to the action, and
2 analyzes the significant environmental and other
3 consequences of that action. In doing so an EIS
4 assists officials in making better decisions and

5 planning actions. Some of the environmental factors
6 which are considered through an EIS include water and
7 air quality, endangered species, and human health and
8 safety, to name a few.

9 This chart illustrates the EIS process. The
10 process begins with a notice of intent which is
11 published in the Federal Register. It notifies the
12 public that a federal agency will be preparing a NEPA
13 document to evaluate the impacts associated with an
14 action. The second step is public scoping meetings
15 where the public is invited to comment on the purpose
16 and the extent of the study and to identify significant
17 issues. The third step is the preparation of a draft
18 EIS which evaluates a proposed project in light of the
19 project need, reasonable alternatives, and
20 environmental and other consequences of a proposed
21 action.

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1 The draft EIS is then submitted for public
2 review and comment for a minimum of 45 days. A second
3 round of meetings is generally held during which public
4 comments and the draft EIS are solicited, and that is
5 the intent of tonight's meeting. Based on comments
6 received from the public the draft EIS is revised into
7 a final EIS. The final step is the preparation of a
8 record of decision or ROD. The ROD formally summarizes
9 the EIS analysis and is signed by the participating
10 federal agencies.

11 Now let me give you some information on this
12 particular federal action, the Baltimore Harbor and
13 Channels Dredged Material Management Plan and Tiered
14 Environmental Impact Statement. The goals of a federal
15 or Corps DMMP are threefold. The first is to develop a
16 thoughtful and comprehensive plan to manage navigation
17 channels for the economic benefit of the nation and the

18 region and to do so in an economically and
19 environmentally sound manner. Second is to place
20 dredged material which results from the maintenance of
21 navigation channels in an environmentally sound

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1 manner. Finally the third goal of a DMMP is to use
2 dredged material to the maximum extent possible as a
3 beneficial resource.

4 What is a DMMP? A DMMP addresses dredging
5 needs and the economic justification for such dredging,
6 dredged material placement alternatives and the
7 capacities of placement sites, environmental compliance
8 requirements, and the opportunities to use dredged
9 material as a beneficial resource. A DMMP is 100%
10 federally funded and in this case funded entirely by
11 the U.S. Army Corps of Engineers, Baltimore District.
12 As I noted before, it incorporates an integrated
13 environmental impact statement evaluation and will also
14 justify follow-on site specific studies.

15 The process for preparing a DMMP and tiered
16 EIS is shown on this flow chart. The entire process
17 encompasses five major phases. Phase 1, preparation of
18 a preliminary assessment, is shown on this chart in
19 light blue. A preliminary assessment is a review of
20 dredging needs within a site or region and identifies
21 if there is a shortage of dredged material placement

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1 capacity and a need to proceed with a more in-depth
2 review called a DMMP.

3 Phase 2, preparation of a DMMP study, is
4 shown here in dark blue, and I'll explain this phase in
5 more detail later in the presentation. Where we are at
6 right now in the process is shown in yellow, the draft
7 DMMP and public input phase.

8 Phase 3 shown here in orange is the

9 preparation of a project specific feasibility study.
10 Each of these studies would be considered a separate
11 federal action building on the work done in the DMMP
12 process, the first tier, but requiring all of the steps
13 of a NEPA process to evaluate a specific project.

14 Phase 4 shown in green is implementation.
15 During this phase a specific action identified and
16 justified through a feasibility study is designed,
17 constructed, or implemented and operated or
18 maintained. The action may require Congressional
19 authorization at this point.

20 The final phase, Phase 5, is periodic review
21 and update and is shown in the chart in purple. In

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1 Phase 5 completed actions are reviewed on some specific
2 project frequency to assure the intended goals of the
3 project are being met and to allow for adjustment of
4 the action as circumstances warrant.

5 So why are we preparing a DMMP? First of
6 all, it's a federal requirement that a plan be prepared
7 whenever insufficient dredged material capacity
8 exists. The preliminary assessment, that first phase
9 that we talked about, was prepared by the Corps in 2001
10 for the Baltimore Harbor and Channels and concluded
11 that not only was there insufficient capacity for
12 placement of dredged material over the next 20 years,
13 but by 2009, just four years from now, we will begin
14 overloading the remaining sites.

15 So to start the process the Corps invited
16 input from all stakeholders groups including both
17 federal and state regulators and from the public
18 interest groups and the general public. We also
19 integrated our DMMP with that of the Maryland Port
20 Administration, which was also preparing a DMMP for the
21 State of Maryland.

1 So you might wonder why do we have two
 2 separate DMMPs, one for the State and one for the
 3 Federal Government? What are the differences? What
 4 are the similarities? First, the state and federal
 5 DMMPs are similar in that they both consider a
 6 long-term, at least 20-year planning horizon, and both
 7 emphasize the opportunity for beneficial use of dredged
 8 material. They both use the same federal and state
 9 regulatory agencies and public interest groups such as
 10 the Bay Enhancement Working Group and the Citizens
 11 Advisory Committee to solicit input. This coordination
 12 assures that both DMMPs reflect similar opinions and
 13 priorities of the Chesapeake Bay community.

14 The major differences between the State and
 15 the Corps' DMMP is that the Corps' DMMP has to evaluate
 16 benefits and impacts of various actions from a federal
 17 rather than a local perspective. The Corps' DMMP also
 18 includes both Virginia and Maryland, whereas the
 19 Maryland Port Administration's DMMP only includes
 20 dredging needs and placement opportunities in
 21 Maryland.

1 A third difference is that the Corps' DMMP
 2 follows the NEPA process which I described earlier and
 3 includes an environmental impact statement. The final
 4 difference between the two is that the Corps' DMMP must
 5 include something called a federal standard or base
 6 plan, which is the least costly, environmentally
 7 acceptable means for dredged material placement.

8 The Corps' DMMP must consider all
 9 alternatives which are federally acceptable; that is,
 10 not contrary to federal laws and regulations. This
 11 means that the Corps' DMMP considers alternatives
 12 that's Maryland's DMMP cannot because the alternatives
 13 are illegal in Maryland. For example, the Corps' DMMP

14 evaluated open water placement in the Maryland portion
15 of the Chesapeake Bay because even though it's
16 prohibited by state law, it's allowable under federal
17 law.

18 As I mentioned previously, the Corps' DMMP
19 encompasses the entire Chesapeake Bay from the
20 Sassafras River south to the mouth of the bay. For
21 evaluation purposes we divided the bay into four areas

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1 including the Chesapeake and Delaware Canal or C & D
2 approach channels which extend south from the Sassafras
3 River to Pooles Island, the Harbor channels which
4 extend northward into the Inner Harbor from the North
5 Point-Rock Point Line, the Chesapeake Bay approach
6 channels in Maryland which extend from the mouth of the
7 Baltimore Harbor south to the Maryland-Virginia state
8 line, and the Chesapeake Bay approach channels in
9 Virginia which extend south from the Maryland-Virginia
10 line to the mouth of the bay. These geographic areas
11 as well as the navigation channels are also illustrated
12 on boards in the front of the room that you can take a
13 look at later.

14 Once the geographic areas were identified for
15 the DMMP we evaluated the cost and benefits associated
16 with continued maintenance dredging of the federal
17 channels to determine if such costs were justified.
18 Through this evaluation we determined that the benefits
19 associated with maintenance of the channels outweighed
20 the costs associated with dredging. For example, in
21 the C & D Canal approach channels the annual benefits

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1 of maintaining a navigation depth of 35 feet equals
2 \$12.1 million while the associated annual dredging
3 costs were 8-1/2 million. In the Baltimore Harbor and
4 channels annual benefits of maintenance dredging are

5 \$15.3 million versus annual maintenance costs of \$10.8
6 million.

7 Our next step was to identify the net dredged
8 material capacity need that is required for each area
9 over the 20-year planning window. By "net need" I mean
10 the amount of dredged material capacity above that
11 which can be satisfied by placement in existing dredged
12 material placement sites such as Poplar Island
13 environmental restoration project or the Cox Creek
14 confined disposal facility. For Harbor material,
15 material dredged from channels north of the North
16 Point-Rock Point line, the net need for 2025 is
17 approximately 17 million cubic yards. For maintenance
18 of the C & D Canal approach and the Chesapeake Bay
19 approach channels the combined net need is
20 approximately 40 million cubic yards. For the
21 Chesapeake Bay approach channels in Virginia the net

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1 need is zero since the existing sites in Virginia have
2 sufficient capacity to handle dredged material
3 placement well past 2025.

4 Once maintenance dredging was determined to
5 be economically justified and the capacity requirements
6 defined for each geographic area we developed a list of
7 alternatives to be considered. Those alternatives fall
8 into four categories. Existing placement sites include
9 the Pooles Island open water placement, Poplar Island
10 environmental restoration, Cox Creek confined disposal
11 facility, Hart-Miller Island containment facility, and
12 the open water placement sites in Virginia and in the
13 Atlantic Ocean.

14 The existing sites were evaluated for their
15 current available capacity as well as for possible
16 expansion. New placement sites include alternatives
17 such as confined aquatic disposal sites or CADs,

18 confined upland disposal facilities or CDFs, and
19 artificial islands.

20 Beneficial use sites are those placement
21 sites which render some sort of benefit, either

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1 economic or environmental, by their construction and
2 use. Examples of beneficial use sites include island
3 restoration, wetland restoration, and shoreline
4 restoration.

5 Finally, innovative use sites are those where
6 dredged material is used in a novel way to produce some
7 sort of economic benefit. Examples of innovative use
8 include using dredged material to make building
9 products like bricks, reclaim abandoned mines, or to
10 enhance degraded agricultural lands. In all we looked
11 at 26 unique alternatives for handling our dredged
12 material needs.

13 With the help of the Bay Enhancement Working
14 Group, part of the State's DMP process, the Corps DMP
15 developed five quantitative and qualitative criteria to
16 evaluate the dredged material placement alternatives.
17 Quantitative criteria include cost, capacity, and
18 environmental impacts. The costs for each alternative
19 were determined by preparing a concept level design for
20 each alternative and then preparing budget level cost
21 estimates for each. The estimates were full life cycle

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1 costs including costs for planning, design,
2 construction, and operation and maintenance. The
3 available dredged material capacity for each
4 alternative was also calculated by using the concept
5 level designs.

6 Environmental impacts resulting from each
7 alternative were determined with the specific help from
8 the Bay Enhancement Working Group. The Corps' DMP

9 used the work group's detailed environmental scoring
10 process to evaluate each alternative. The Bay
11 Enhancement Working Group evaluated 52 different
12 environmental criteria in categories such as water
13 quality, endangered species, shallow water habitat, air
14 quality, and public health. The full BEWG analysis
15 should be available in your folder at the welcome table
16 and on the board in the front of the room.

17 In addition to the three quantitative
18 criteria we considered two qualitative criteria. The
19 technical/logistical criteria evaluated the likelihood
20 that an alternative would succeed based on engineering
21 considerations. For example, beach nourishment is a

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1 well-proven, often used technique. On the other hand,
2 agricultural placement of dredged material has been
3 done on small scales, but never on a large scale and
4 would face numerous technical and logistical challenges
5 to be successful.

6 The second qualitative criterion was
7 implementation probability. What is the likelihood
8 that an alternative would succeed given the potential
9 legal obstacles or public or regulatory opposition?
10 For example, open water placement in Maryland waters is
11 prohibited by state law; therefore, this alternative
12 was dropped.

13 After identifying the criteria and scoring
14 each alternative we combined the alternatives into
15 groups or what we call suites of alternatives. Each
16 suite is some combination of alternatives that meet the
17 dredged material placement capacity need for an area.
18 For example, one suite was large island restoration in
19 the mid-bay along with wetland restoration. Another
20 suite was the Poplar Island expansion along with
21 shoreline restoration. By combining the alternatives

1 into suites meeting the capacity need, we could
2 concentrate on comparing the costs and environmental
3 impacts of suites relative to each other.

4 For the C & D canal approach and the
5 Chesapeake Bay approach channel region in Maryland we
6 assembled over 14,000 suites, and they're represented
7 on this chart by 14,000 individual little dots. You
8 can see how difficult this was at first to deal with.
9 These 14,000 suites are shown here with costs as
10 measured in millions of dollars and environmental
11 benefit as measured with the habitat index score for
12 each suite.

13 Once all the possible suites were assembled
14 we were able to compare the suites and select the most
15 cost effective means to achieve the environmental
16 benefits. After that we took into account the
17 technical and logistical and implementation
18 probabilities of each suite and eliminated those with
19 little likelihood of success. Those suites which
20 remained were evaluated to form the recommended plan.

21 If you remember the charts two back with the

1 14,000 little dots on it, the 14,000 suites of
2 alternatives, this chart represents what was left, the
3 suites that remained after the comparative analysis.
4 Again, the cost is on the left and the habitat benefits
5 are across the bottom.

6 By combining the suite on the far left,
7 Poplar Island expansion and large island restoration,
8 with the suite on the far right, large island
9 restoration and wetland restoration, we can achieve a
10 recommended plan for the Maryland and C & D canal
11 approach channels which balances cost and environmental
12 benefit.

13 So after considering all feasible

14 alternatives and evaluating them against each other
15 using both qualitative and quantitative criteria we
16 developed a recommended plan which includes first
17 optimizing the use of existing sites in Maryland such
18 as Hart-Miller Island, Pooles Island, Cox Creek, and
19 Poplar Island; second, use of open water placement
20 sites in Virginia; third, construction of multiple
21 confined disposal facilities along the Patapsco River;

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1 fourth, expansion of the current footprint at Poplar
2 Island; fifth, restoration of an existing degraded
3 large island in the mid-Chesapeake Bay; and, sixth,
4 wetland restoration in Dorchester County, Maryland.
5 Along with these six the DMMP also recommends continued
6 technical development of innovative use in partnership
7 with the State of Maryland.

8 So to summarize, the recommended plan
9 developed through this DMMP and environmental impact
10 statement process meets the goals of the DMMP by first
11 providing sufficient placement capacity for at least
12 the next 20 years, doing so in an economical manner by
13 optimizing existing sites such as Cox Creek and
14 expanding an existing site in Poplar Island; third,
15 placing the material in a manner that minimizes
16 negative impacts to the environment; and, fourth, by
17 maximizing the beneficial use of dredged material to
18 enhance the environment through projects such as island
19 restoration and wetland restoration.

20 Finally to our schedule. The notice of
21 intent was published in May of 2002 followed by the

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1 public scoping meetings in June. The draft DMMP and
2 tiered environmental impact statement was prepared in
3 January of this year, completed in February, and made
4 available for public comment beginning on February 11,

5 2005. We're holding two public comment meetings. The
6 first was at Queen Anne's County Public Library on
7 March 7 and the second is tonight's meeting here at the
8 Essex Community College. The public comment period
9 will extend until March 28. The final DMMP is
10 scheduled to be issued in July of 2005 with a record of
11 decision to follow in September of 2005.

12 If you wish to review the Port of Baltimore
13 or the Baltimore Harbor and Channels DMMP and Tiered
14 EIS, you can do so by visiting the Essex County Public
15 Library, the Anne Arundel County Public Library,
16 St. Mary's, Somerset, and Dorchester County Public
17 Libraries, or by obtaining a CD from our welcome table
18 outside or visiting the website listed here. All
19 comments on the DMMP and EIS should be submitted in
20 writing by March 28 to Mr. Mark Mendelsohn at the
21 address listed here. You should have a copy of this

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1 presentation in the handout folder that you can take
2 home with you.

3 Finally, thank you for your attention, and I
4 will now open the floor up to those in attendance
5 wishing to offer formal comments for the record. I
6 would ask that when you approach the microphone, please
7 provide your name and how to spell it for the court
8 reporter as well as any affiliation that you may have.

9 First we are going to start off with our
10 partner, the Maryland Port Administration, Mr. Nat
11 Brown.

12 MR. BROWN: Thank you. My name is Nathaniel
13 Brown, N A T H A N I E L. I represent the Harbor
14 Development Office of the Maryland Port
15 Administration. We work with the Army Corps of
16 Engineers on a number of our dredging projects. I
17 simply want to state for the record the Maryland Port

18 Administration supports the federal DMMP. Thank you.

19 MR. JOHNSON: Thank you. Next -- I apologize
20 if I butcher anybody's names -- is Mr. Robert Fantom
21 If you don't want to come up, we can bring the

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1 microphone to you as well.

2 MR. FANTOM My name is Robert Fantom
3 F A N T O M I operate a small greenhouse farm We
4 have 25 greenhouses on seven acres right off Rossville
5 Boulevard right near Belair Road. I have been farming
6 my whole life, and I'm tired of being blamed for
7 everything that is wrong with the bay when everywhere I
8 look in Maryland I see digging and dumping in the
9 water. I apologize. I'm not very well prepared. I
10 just heard about this meeting yesterday morning and I
11 have been very busy.

12 I want to say that since we came here in 300
13 plus years of farming the reef structure in the Upper
14 Bay, which basically in my experience -- my experience
15 in the bay is from the Bay Bridge north to the
16 Susquehanna River -- the structure there is all -- it's
17 an endless maze of caverns and reefs. It has been
18 stable for 300 years of farming. It has never silted
19 in.

20 In the last 15 or 20 years the open bay
21 dumping and the dredging, the oyster shell fossil reef

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1 dredging in the upper bay has made the area around
2 Pooles Island, the water stays muddy all the time. I
3 believe if it didn't rain for 10,000 years, the water
4 would still be muddy there. Particularly Area D, which
5 is halfway between Pooles Island and Fairley Creek,
6 which is Area H, there was a natural cavern there. It
7 was a half, three-quarters of a mile long of natural
8 channel almost 60 feet deep. It was a good place to

9 fish. There was always fish there.

10 Now they have dug it all up and they filled
11 in the holes, and every time the tide runs in or every
12 time the tide runs out the water gets stirred up there
13 and it makes mud. If you come out of Middle River or
14 Gunpowder River or any of the rivers, the water is
15 crystal clear until you get out to Pooles Island, and
16 then it turns into a mud slide.

17 You can make a good case that during the
18 declining years of striped bass on the whole East Coast
19 when the population collapsed and the Federal
20 Government got involved and they finally did something
21 about it and closed fishing, we were catching plenty of

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1 fish from the Chesapeake Bay Bridge to the Susquehanna
2 Flats and people fished even up to the dam there.
3 There was plenty of hard bottom. The water was deep.
4 The water was clear. There were plenty of places for
5 the fish to hide. The structure there provided habitat
6 for striped bass. It's a very difficult place to go
7 and gill net because your gill nets don't work around
8 oyster reefs. This stuff gets all hung up and they
9 lose their gear and they don't catch fish.

10 That's one of the reasons there was still
11 fish there. That's one of the reasons there was still
12 fish left for you guys to repopulate. If you turn it
13 all into a mud flat with the open bay dumping, which
14 I'm here because I'm particularly upset about the open
15 bay dumping in the Pooles Island area -- it sounds like
16 maybe you're not going to do it anymore. That would be
17 a good thing.

18 The other thing I wanted to say was the
19 reservoir effect. You take a reservoir like Loch Raven
20 Reservoir where they have a lot of deep water, and when
21 you get a lot of rain, the reaches of the reservoir get

1 muddy, and over a long period of time it slowly silts
2 in and the mud comes further down faster.

3 Well, in the Susquehanna River the dams above
4 Conowingo are completely silted in, so the volume of
5 water is greatly reduced. With the reduced volume of
6 water every time it rains it's that much faster that
7 the water comes down into the bay. If you keep making
8 the water in the upper bay shallower, the mud is going
9 to keep on traveling down the bay and we're never going
10 to have quality habitat again. You're probably never
11 going to have it anyway.

12 I want to say one more thing. I apologize
13 for not being well prepared. I wanted to ask why the
14 Federal Government protects the fossil reefs in
15 Florida. When you go there, you can't even chip a
16 piece of coral. There are sites down there where
17 you're not even allowed to throw your anchor in the
18 water because it's going to damage the fossil reefs,
19 and in this area we seem to have sold our fossil reefs
20 into slavery.

21 I wanted to close with a quote from a man

1 named John Anderson, who wrote a song called Seminol
2 Wind, which was about the Army Corps of Engineers
3 draining the Everglades. He said: "Ever since the
4 days of old men would search for wealth untold. They
5 dig for silver and for gold and leave the empty
6 holes." Well, in Maryland we have found a way to save
7 money by using our empty holes to dump our trash, and I
8 hope that you guys never do that again. Thank you.

9 MR. JOHNSON: Thank you. I believe it's
10 Albert Marani.

11 MR. MARANI: He pretty much said everything I
12 wanted to say. Are you not going to dump in the open
13 water around Pooles Island anymore?

14 MR. JOHNSON: Pooles Island is going to close
15 by state law in 2010. As I said, we dropped that as an
16 alternative because of the political risk and the
17 public outcry against that. So we don't believe that
18 it's an alternative that will succeed.

19 MR. MARANI: Are you going to continue to
20 dump until 2010?

21 MR. JOHNSON: Yes.

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1 MR. MARANI: They've pretty much ruined the
2 upper bay.

3 MR. JOHNSON: This phase that we're in right
4 now -- I apologize, but what we're doing is the floor
5 is open for public statements. If you will stick
6 around after we close the formal portion of this
7 meeting, we'll enter into a question and answer
8 period.

9 Mr. Williams, John Williams.

10 MR. WILLIAMS: My name is John Williams.
11 That's W I L L I A M S. I'm a member of the Citizens
12 Advisory Committee for the dredged material management
13 program, but I am not speaking on their behalf, but as
14 an individual.

15 I find that the work you have done here is
16 quite commendable in the effort of identifying and
17 assessing placement options, but in reviewing the
18 document and trying to establish numeric precision, I
19 find some of the basic undergirding premises for the
20 entire DMP study are flawed, and I would have to raise
21 those up to you for their correction.

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1 Specifically, the placement demand capacity
2 shortfall is erroneously overestimated. B, the
3 economic justification of continued maintenance is
4 defective. Portions of that analysis are inaccurate.

5 Portions of it are questionable to such an extent that
6 the whole conclusions may be wrong.

7 Looking at some of the details of that, back
8 to the demand capacity shortfall, I would urge first
9 with a projection of placement needs that you use
10 actual historical data rather than estimates from the
11 Philadelphia District for the 35 foot channel. Second,
12 that you recognize historical data of a decade-plus
13 duration which also already includes storm events, and
14 you don't need an extra 10% for that. I also suggest
15 you use 21 years in your analysis. The net result of
16 that on the demand side for the Maryland channels would
17 reduce the projected demand by 20% from 69 million
18 cubic yards to 56.

19 In terms of your available capacity, I think
20 you need to include the 5 million cubic yards of
21 capping capacity at Hart-Miller Island and take into

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1 consideration the remaining capacity of Poplar Island
2 to reflect more current information. The net result of
3 those two factors would increase capacity for the
4 Maryland channels by 25% from 33 to 41 million cubic
5 yards. The net effect of both of these factors reduces
6 the shortfall that you have by 50% from 36 to 15
7 million cubic yards.

8 The implications of that are that your
9 recommended plan would not need three alternatives,
10 expansion of Poplar, the construction of a large
11 island, and some pumping in the black water refuge. In
12 fact, you could accommodate the existing shortfall with
13 only a single alternative and save a great deal. I
14 think the calculations need to be reviewed.

15 When it comes to the economic justification
16 for the maintenance, I find that the cost values used
17 do not represent reality, but are based on the

18 hypothetical case of dumping into the bay because it is
19 less expensive. I take issue with that, specifically
20 with the analyses for the two major parts, the 50 foot
21 channel system and the 35 foot channel system.

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1 Relative to the 50 foot channel system, the analysis
2 adapted the 1981 economic justification.
3 Unfortunately, there is a significant math error in the
4 current analysis relative to the under keel clearance.
5 It also does not use current commodity movements. When
6 you combine those two factors, it reduces the apparent
7 PCR from 1.41 to 0.65, and it does appear that
8 continued maintenance of the main channel is not
9 economically warranted. Surely there must be a better
10 analysis to support that.

11 With regards to the 35 foot channel system,
12 the analysis is predicated on historical data, 1998 to
13 2002, and some assertions from Mr. Marder concerning
14 the operating characteristics; however, if you use more
15 current traffic for the canal for the year 2003, it
16 reduces the apparent benefits by 22%, and if you use a
17 more realistic nine knots instead of eight knots, it
18 reduces the apparent benefits another 7-1/2 percent.
19 The net effect of both of those would reduce the
20 apparent PCR to essentially 1.0. The analysis needs
21 closer attention.

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1 So what I would recommend is that we're all
2 interested in having this analysis be as accurate as
3 possible using the best set of numbers so that proper
4 decisions can be made. I would urge that the Corps go
5 back and look closely at all of those factors. I will
6 be filing detailed comments on them for your
7 consideration. Thank you.

8 MR. JOHNSON: Thank you, John, and I will

9 reiterate our offer to meet with you when you're ready
10 to review any detail.

11 Finally William Huppert. Did I get that
12 right?

13 MR. HUPPERT: You're very close. My name is
14 William Huppert, H U P P E R T. I'm a resident of
15 Baltimore County for most of my life and have spent
16 approximately 70 years on Middle River. There are
17 several things I want to comment.

18 The first is that I got a phone call last
19 night about 7:30, 8 o'clock telling me about this
20 meeting. It was the first I had heard of it. My
21 brother-in-law Albert said the same thing. He heard it

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1 from me via phone this morning. So I'm concerned about
2 communications.

3 There are other things. I'm with the
4 Maryland Saltwater Sport Fishermen's Association. I'm
5 active in building artificial reefs in the bay and many
6 other projects involving the environment. I don't
7 understand why you should be doing this open dumping
8 until 2011. I think it's time to stop that
9 completely. We all know what the damaging effects of
10 that have been over the years.

11 The first thing I want to say is what
12 toxins -- when you do all of this dredging, what is
13 spread out there off Pooles Island? I have seen
14 nothing in the literature so far that tells me what
15 kind of poisons, toxins, other substances that are
16 harmful to me, my family, my grandchildren, and
17 everyone else. So I've seen nothing stated here about
18 the effect of those things, and there have got to be
19 some serious consequences there.

20 Secondly, over the years I have been
21 reading. Again, I, like the gentleman previous, didn't

1 have enough time to really research all of the things
2 that I could have possibly researched, but my
3 recollection is over the past several years the
4 shipping on the C & D Canal has been decreasing quite
5 rapidly. Then I looked at the amount of the spoils
6 that are going to be dredged from there, and it's a
7 tremendous 40 billion yards. When I saw that, and then
8 we're talking about the economic benefits, and if the
9 shipping is constantly decreasing on the C & D Canal,
10 why aren't we factoring that in there? That concerns
11 me very much. It doesn't seem an economically sound
12 policy to me.

13 Again, I'm very concerned about the
14 environmental impact from what is being pulled up off
15 the bottom and circulated back out there again because
16 we have in effect made a -- it looks like coffee with a
17 little bit of cream in it almost the entire year. If
18 you run across the bay to Tolchester and down to Swan
19 Point and places like that, the whole area is
20 terrible. In fact, two years ago we had virtually no
21 crabs come into Middle River, and I can't find out the

1 answer to that. I don't know if somebody else knows
2 it. I think we had crabs for about three weeks this
3 year is all it lasted. That's another concern of
4 mine.

5 Anyhow, my big concern again is what are
6 these chemicals that are being pulled up and spread
7 out, and the second is is the work on the C & D Canal
8 worth the effort plus all the material that you're
9 going to have to dispose of. Thank you.

10 MR. JOHNSON: Thank you. Would anybody else
11 like to make a statement for the record? That
12 concludes the formal portion of this meeting.

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